UNITED NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/49/173
S/1994/702
13 June 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Item 14 of the preliminary list*
REPORT OF THE INTERNATIONAL
ATOMIC ENERGY AGENCY

SECURITY COUNCIL
Forty-ninth year

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and of the Security Council the attached letter dated 13 June 1994, which he has received from the Director General of the International Atomic Energy Agency (IAEA).

* A/49/50/Rev.1.

ANNEX

Letter dated 13 June 1994 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

I refer to my letters of 19 May, 27 May and 2 June 1994. Pursuant to the Security Council's request in its resolution 825 (1993) of 11 May 1993, those letters contained reports to the Council on the Agency's efforts to implement the Safeguards Agreement between the International Atomic Energy Agency (IAEA) and the Democratic People's Republic of Korea.

Having discussed the status of implementation of the Safeguards Agreement between IAEA and the Democratic People's Republic of Korea, the Board of Governors at its regularly scheduled meeting adopted, on 10 June, a resolution (GOV/2742) by 28 votes in favour, 1 against and 4 abstentions.

The resolution, inter alia, found that the Democratic People's Republic of Korea is continuing to widen its non-compliance with its Safeguards Agreement with the Agency (INFCIRC/403) by taking actions which prevent the Agency from verifying the history of the reactor core and from ascertaining whether nuclear material from the reactor had been diverted in past years. The board, in conformity with the provisions of article XII.C of the statute, decided to suspend non-medical Agency assistance to the Democratic People's Republic of Korea.

The resolution is attached to the present letter and I should be grateful if you would bring it to the attention of the Security Council and the General Assembly pursuant to its paragraph 7.

(Signed) Hans BLIX

ENCLOSURE

Implementation of the Agreement between the International Atomic Energy Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/403)

Resolution adopted by the Board on 10 June 1994

The Board of Governors,

(a) Recalling its resolutions GOV/2636 of 25 February 1993, GOV/2639 of 18 March 1993, GOV/2645 of 1 April 1993, GOV/2692 of 23 September 1993 and GOV/2711 of 21 March 1994 and General Conference resolution GC(XXXVII)/RES/624 of 1 October 1993 finding the Democratic People's Republic of Korea to be in non-compliance with its safeguards agreement (INFCIRC/403),

(b) Taking account of the fact that the Democratic People's Republic of Korea remains a party to the Treaty on the Non-Proliferation of Nuclear Weapons and is therefore bound by its safeguards obligations,

(c) Recalling also that on 1 April 1993 and 22 March 1994, in accordance with the Agency's statute and the safeguards agreement between the Democratic People's Republic of Korea and the Agency, it reported the Democratic People's Republic of Korea's non-compliance to the United Nations Security Council as the organ bearing the main responsibility for the maintenance of international peace and security,

(d) Noting with deep regret the Director General's written and oral reports of 2 June 1994 and 3 June 1994 and his statement to the Board on 7 June 1994, in which he reported that the limited opportunity which remained for the Agency to select, segregate and secure fuel rods from the Democratic People's Republic of Korea's five-megawatt reactor for later measurements in accordance with Agency standards had been lost and that the Agency's ability to ascertain, with sufficient confidence, whether nuclear material from the reactor had been diverted in the past had also been lost,

(e) Recalling further, the 30 May 1994 statement by the President of the Security Council (S/PRST/1994/28), and particularly the request to the Director General to keep Agency inspectors in the Democratic People's Republic of Korea in order to monitor activities at the five-megawatt reactor, and

(f) Noting also that the Agency has been able to perform certain safeguards activities in the Democratic People's Republic of Korea and the Director General's reaffirmation that the secretariat remains available to conduct inspection activities as required by the safeguards agreement with the Democratic People's Republic of Korea or as requested by the United Nations Security Council,

1. Deplores the Democratic People's Republic of Korea's failure to implement essential elements of resolutions of the Board and the General Conference concerning its non-compliance with its safeguards agreement (INFCIRC/403);

2. Finds that the Democratic People's Republic of Korea is continuing to widen its non-compliance with its safeguards agreement by taking actions which prevent the Agency from verifying the history of the reactor core and from ascertaining whether nuclear material from the reactor had been diverted in past years;

3. Strongly supports and commends the tireless efforts of the Director General and the secretariat to implement the safeguards agreement;

4. Calls on the Democratic People's Republic of Korea immediately to extend full cooperation to the Agency's secretariat, in particular by providing access to all safeguards-relevant information and locations;

5. Encourages the Director General to continue his efforts to implement fully the safeguards agreement, and in particular to retain all Agency safeguards measures effectively in place and make available inspectors and equipment for safeguards in the Democratic People's Republic of Korea as requested by the United Nations Security Council;

6. Decides, in conformity with the provisions of article XII.C of the statute, to suspend non-medical Agency assistance to the Democratic People's Republic of Korea;

7. Requests the Director General to transmit this resolution to all members of the Agency and to the Security Council and the General Assembly of the United Nations; and

8. Remains seized of the matter and requests the Director General to report promptly to the Board on all relevant developments regarding this issue.